



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

**NOV - 7 2016**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Article Number: 7015 3010 0001 6837 9344**

Henry Durdu, Manager  
Speedway LLC  
500 Speedway Drive  
Enon, OH 45323

Re: Underground Injection Control (UIC) Program Regulation  
Request for Information: SDWA-UIC-IR-17-008  
Speedway (UICID: 16NY10305022)  
38 Montauk Highway  
Quogue, NY 11959  
Suffolk County

Dear Mr. Durdu:

An inspection of the facility referenced above was conducted on July 11, 2016. The inspection revealed that the facility may be operating a large-capacity cesspool well subject to EPA jurisdiction under the Safe Drinking Water Act. EPA records indicate that the above-referenced facility has not inventoried any underground injection wells as required by 40 Code of Federal Regulations (CFR) §§144.26, 144.27 and 144.83(a). EPA records also indicate that the above-referenced facility has not received authorization to emplace fluids into an underground injection well by permit, in accordance with 40 C.F.R. §144.31, or by rule, in accordance with 40 CFR §§144.24 and 144.84. Failure to operate an injection well under authorization by rule or permit constitutes noncompliance with Underground Injection Control (UIC) program regulations. The UIC program regulations are designed to assure that the operation of injection wells will not contaminate underground sources of drinking water (USDW) and endanger human health.

Specifically, the bathroom toilets at your facility were found to potentially discharge to an injection well such as a drywell, septic system or cesspool as follows:

**Potential cesspool tied to bathroom in the facility. More than 20 people (employees and customers) use the bathroom on an averaged daily basis.**

**REQUIRED ACTIONS**

Submit the following information within 30 days of receipt of this letter:

- Identify the discharge point for the bathroom drains at your facility. Acceptable options include as built diagrams of facility showing piping and sanitary discharge system.

As required by 40 CFR §§144.26, 144.27 and 144.83(a), should any drains discharge to one or more injection wells, you must complete inventory forms for these injection wells. Enclosed is an inventory form (EPA Form 7520-16) and a request for information that must be completed if you possess a facility which uses an underground injection well. Also enclosed is a listing of Class V injection well types and instructions (Enclosure 1). Please use Enclosure 1 when filling out the inventory form. The form can also be found on the internet at:

[http://www2.epa.gov/sites/production/files/2015-10/documents/7520-16\\_508c.pdf](http://www2.epa.gov/sites/production/files/2015-10/documents/7520-16_508c.pdf)

- For any injection well inventoried above, you must submit a detailed description of all types of fluids that are or may be discharged into the injection well.

Please submit all information to the following address:

Nicole Foley Kraft, Chief  
Groundwater Compliance Section  
United States Environmental Protection Agency  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007-1866  
Re: 16NY10305005  
Attn: Charles Hillenbrand

## REQUIRED WELL CLOSURES

If you operate a large-capacity cesspool (a cesspool which serves a multiple dwelling community or regional system or, for a non-residential system, has the capacity to serve 20 or more persons a day) you were to have closed the cesspool by April 5, 2005, as required by 40 CFR §144.88. Cesspools and septic systems are defined as follows:

- A cesspool is a drywell/leach pit that directly receives untreated sanitary waste containing human excreta. A cesspool system does not utilize a septic tank to retain and treat sanitary waste.
- In a septic system, sanitary waste is first discharged through a treatment device such as a septic tank, where solids are removed and biologic treatment occurs, and the treated sanitary waste is then discharged to a drywell/leachpit or to a drainfield.

## NOT OPERATING AN INJECTION WELL?

If you are certain that there are no discharges from this facility into a UIC Class V well, you must submit verification that **all drains discharge to somewhere other than an injection well, such as the storm or sanitary sewer; surface water such as a stream, lake, etc.; or onto the ground surface.** Examples of verification would be: 1) a letter from the superintendent of the Sewer Authority **reporting that no drains at the facility discharge to an injection well and where they do discharge,** or 2) results from a dye test performed by a licensed engineer or plumber proving the

drain(s) **discharge to somewhere other than an injection well or 3)** an updated plumbing blueprint **of the facility** verifying where each drain discharges and that none discharge to an injection well.

Failure to respond to this letter truthfully and accurately within thirty (30) days may subject you to sanctions authorized by federal law. Please also note that all information submitted by you may be used in an administrative, civil judicial, or criminal action. In addition, making a knowing submission of materially false information to the U.S. Government may be a criminal offense.

If you have any questions, please contact Charles Hillenbrand of my staff at (212) 637-3951 or by e-mail at [hillenbrand.charles@epa.gov](mailto:hillenbrand.charles@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'DMK', with a long horizontal flourish extending to the right.

Douglas McKenna, Chief  
Water Compliance Branch

Enclosures

cc: Tony Leung,  
NYSDEC, Region 1  
SUNY Stony Brook, 50 Circle Rd  
Stony Brook, NY 11790

Janet M. Gremli  
Bureau of Environmental Investigation and Remediation  
Office of Pollution Control  
Division of Environmental Quality  
Suffolk County Dept. of Health Services  
15 Horseblock Place  
Farmingville, NY 11738

